

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

EMPRESA GENERADORA DE	§	
ELECTRICIDAD ITABO, S.A., <i>et al.</i> ,	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. H-06-1162
	§	
McGRIFF, SEIBELS & WILLIAMS	§	
OF TEXAS, INC., <i>et al.</i> ,	§	
Defendants.	§	

MEMORANDUM AND ORDER


Defendant XL Insurance (Bermuda) Ltd. (“XL”) removed this case from state court pursuant to 9 U.S.C. § 205 because an XL reinsurance certificate requires arbitration in London and § 205 permits removal of an action involving certain foreign arbitration agreements. Subsequently, Plaintiffs dismissed voluntarily any claims against XL. Plaintiffs then filed their Motion to Remand [Doc. # 5], noting that the sole basis for removal had been eliminated from the case. No Defendant has filed any opposition to the Motion to Remand or requested an extension of time to do so.¹

As correctly noted by Plaintiffs without opposition from Defendants, the sole basis for removal of this case has been eliminated. Accordingly, it is hereby

¹ Pursuant to the Local Rules of the United States District Court for the Southern District of Texas, failure to respond to a motion is taken as a representation of no opposition. S.D. TEX. R. 7.3, 7.4.

ORDERED that Plaintiffs' Motion to Remand [Doc. # 5] is **GRANTED** and this case is remanded to the 113th Judicial District Court of Harris County, Texas. The Court will issue a separate Remand Order.

SIGNED at Houston, Texas, this **18th** day of **May, 2006**.



Nancy F. Atlas
United States District Judge